IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 20TH APRIL 2007 / 30TH CHAITHRA 1929

WP(C).No. 13595 of 2007(R)

PETITIONER:

RATHEESH KUMAR R., S/O. SOMAN,
RAJEE BHAVAN, ETTINKADAVU, KADAKKAL P.O.,
KOLLAM DISTRICT.

BY ADV. SRI.M.V.THAMBAN
SRI.K.V.ANIL KUMAR

RESPONDENTS:

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1. UNION OF INDIA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
MINISTRY OF EXTERNAL AFFAIRS, NEW DELHI.

2. THE CHIEF PASSPORT OFFICER,
MINISTRY OF EXTERNAL AFFAIRS, NEW DELHI.

3. THE REGIONAL PASSPORT OFFICER,
REGIONAL PASSPORT OFFICE, THIRUVANANTHAPURAM.

4. THE ELECTORAL REGISTRATION OFFICER,
CHADAYAMANGALAM L.A. CONSTITUENCY, KOTTARAKKARA.

BY SRI. JOHN VARGHESE, ASGI
GOVERNMENT PLEADER SMT. N. SUDHAMANI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J

W.P.(C)NO.13595 of 2007

Dated this the 20th day of April, 2007

JUDGMENT

The petitioner applied for a passport. In support of his application, he produced Exts.P1 to P4. Although in Ext.P1 extract from the admission register, the petitioner's name is shown as `Ratheesh Kumar R.' in Ext.P3 Electoral Identity Card, his name is simply mentioned as `Ratheesh', leaving out the`Kumar R.' By Ext.P4, the concerned Tahsildar has certified that `Sri.Ratheesh ' mentioned in the Electoral Identity Card and `Sri.Ratheesh Kumar R.' mentioned in the extract of the school admission register is one and the same person. However, the third respondent refused to consider the petitioner's application without an order from a Magistrate as provided under the Passport Manual.

2. I have heard the learned counsel for the petitioner as also the learned Assistant Solicitor General. Since the petitioner has sufficiently proved with reliable documents that his real

name is `Ratheesh Kumar R,' even by providing Ext.P4 certificate from the Tahsildar explaining the discrepancy in Ext.P3, I am satisfied that the said documents are sufficient to prove that the petitioner's real name is `Ratheesh Kumar R'. In the above circumstances, there is no justification for the third respondent to insist on an order from a Magistrate to prove the petitioner's real name. Accordingly, I direct the third respondent to process the application for passport filed by the petitioner on the basis of Exts.P1 to P4.

The writ petition is disposed of as above.

S.SIRI JAGAN, JUDGE

CSS